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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEALS BOARD



XMI CORPORATION,)
Opposer,)
v.)
TROPICAL SPORTSWEAR)
INTERNATIONAL CORPORATION,)
Applicant.)

04-01-2002

U.S. Patent & TMOs/TM Mail Rcpt Dt. #70

Opposition No.: 113,093

CONSENT MOTION FOR EXTENSION OF DISCOVERY PERIOD

To: Assistant Commissioner for Trademarks
Box TTAB
2900 Crystal Drive
Arlington, Virginia 22202

Applicant, Tropical Sportswear International Corporation ("TSI" or "Applicant") and Opposer, XMI Corporation ("XMI" or "Opposer"), pursuant to 37 C.F.R. §2.120, respectfully request a 3 month extension of the discovery period for the above-captioned Opposition, up to and including July 5, 2002. Opposer's counsel, Mr. Neil Zipkin consented to the extension in a telephone conference with the undersigned on March 29, 2002. The parties are very close to settling the Opposition but require additional time to flesh out issues in discovery relative to the settlement negotiations.

5-10-02
4/14/02

Applicant requests that the subsequent deadlines for the Testimony and Rebuttal Periods be reset (three months forward) as well. The new Schedule would read:

THE PERIOD FOR DISCOVERY TO CLOSE: July 5, 2002

Testimony period for party
in position of plaintiff to close: October 4, 2002

Testimony period for party
in position of defendant to close: December 2, 2002

Rebuttal testimony period to close: January 17, 2003

Respectfully submitted this 1st day of April, 2002.



John P. Fry

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CERTIFICATE OF EXPRESS MAILING

I certify that this Applicant's Consent Motion for Extension of Discovery Period is being deposited with the United States Postal Service as Express Mail (Express Mail No. EL604664143 U.S.) in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on this 1st day of April, 2002.

Claire M. Kimball
Claire M. Kimball

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Consent Motion for Extension of Discovery Period was served on Opposer by mailing a true copy thereof to the attorneys of record, by first class mail, postage prepaid, this 1st day of April, 2002, in an envelope addressed as follows:

Neil M. Zipkin
AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Opposer
90 Park Avenue
New York, NY 10016



Claire M. Kimball